

REMARKS

The Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-21 are pending, none of which is amended. Claims 1 and 12 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the remarks set forth herein.

Drawings

The Examiner has not indicated whether or not the drawings have been accepted. Clarification is requested in the next official communication.

Rejections Under 35 U.S.C. 103(a)

Claims 1, 2, 6, 8-13, 15 and 18-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Henderson et al. (U.S. 7,151,448) in view of Ichige et al. (U.S. 2003/0002861); and

claims 3-5 7, 14, and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Henderson et al. and Ichige et al., and further in view of LeClerc et al. (U.S. 6,983,662).

These rejections are respectfully traversed.

Arguments Regarding Independent Claims 1 and 12

In item 3 of the Office Action, the Examiner has rejected claims 1, 2, 6, 8 to 13, 15 and 18 to 21 as being obvious over U.S. Patent No. 7,151,448 (Henderson et al.) in view of U.S. Patent Publication No. 2003/0002861 (Ichige et al.).

The Examiner asserts that, while Henderson et al. disclose the acquiring of a landscape image to transmit the image to a remote processor, it is silent about a controller which is electrically disposed intermediate the battery and the digital imaging device and the processor, and which is configured to isochronally provide power as claimed.

The Examiner further asserts that Ichige et al. disclose a controller which is electrically disposed intermediate the battery and the digital imaging device and the processor and which is configured to isochronally provide power to the processor and digital imaging device to enable the latter, when stationary, to acquire a landscape image, which is then communicated to the processor, which in turn transmits the image to a remote processor.

Ichige et al. essentially disclose a recording apparatus such as a DVD video camera which "decides" whether to finalize a recording based on whether there is sufficient battery power to complete this process. However, the Applicant is unable to find any disclosure in this document of the controller being configured to isochronally provide power from the battery to the processor and digital imaging device to enable the digital imaging device, when stationary, to acquire a landscape image which is communicated to the processor,

which in turn transmits the image to a remote processor. Rather, the controller in that document appears to be provided for other purposes, such as causing the disclosed system to record or reproduce video and audio data, to finalize a DVD-R disc to be compatible with a DVD player, etc. In this regard, we refer, for example, to paragraphs 0047, 0049, 0051, 0052, 0053, 0057, 0060 and 0062.

The Applicant therefore refutes the Examiner's assertion that combining the teachings of Ichige et al. with those of Henderson et al. would result in the invention as claimed. Also there would not be any motivation for performing such a modification in Henderson et al. to control the power quantity supply to the recorder and to determine how long the recorder can operate.

In this regard, the Examiner refers to paragraph 0020 lines 1 to 6. This paragraph does not disclose the controller being of the nature asserted by the Examiner. Firstly, there is no disclosure in this paragraph of the controller being configured to provide any power isochronally from the battery to the processor and digital imaging device as claimed in the present application.

In addition, the paragraph does not disclose the controlling of the power quantity supplied to the recorder to determine how long the recorder can operate.

Rather, it discloses operation time estimation means for estimating the time that the recording apparatus can be operated by the battery or for detecting the available power that

can supplied by the battery, for comparison with a predetermined time or power, respectively, to determine whether or not finalization of the recording is to occur.

At least for the reasons explained above, the Applicant respectfully submits that the combination of elements as set forth in independent claims 1 and 12 is not disclosed or made obvious by any combination of the prior art of record, including Henderson et al. et and Ichige et al. al.

Therefore, independent claims 1 and 12 are in condition for allowance.

Dependent Claims

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

All pending claims are in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

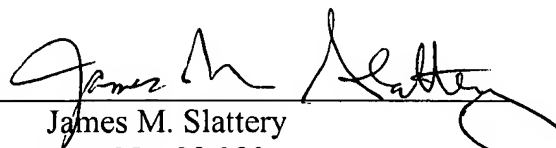
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Dated: October 2, 2008

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
James M. Slattery
Reg. No. 28,380

JMS/CTT/ctp 

P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

JMS/CTT/ctp